App. F. IX-4

Previous References 1928. 9 (D+C) **File No.** 458-28

Serial Nos. 1-4.

Later References
D+C 69-30 (1-3,5)

General and Revenue Secretariat.

Serial Nos. Four

20

Part B for 1930

SUBJECT

Electric Transformar station and Work shop

D. 9837-46 dt. 14.8.30.

To — Dist. D+C ii ch. Engr to govt

District magistrate

Passes orders stating with reference

to the Factories Law the —

to enclosure

General and Revenue Secretariat | 2L File No. 458 | of 1928

Serial No.

1

From Secy. to Govt. of 2L.

C, 1476/28-29 of 20.5.29.

Fds. copy his letter of 4th May 29 to the C.E.E regarding the inspection factories belonging to the Electrical Dept. & requests that necy. instructions may be issued to the C.E.E to allow all facilities to the Inspectors of factories to inspect the factories under the Dept.

The Secy. seems to anticipate that the officers of the Electrical Dept. are not likely to cooperate in the inspection of factories under the Electrical Dept., by the Inspectors of factories & requests that suitable instructions may be issued to the C.E.E. Such instructions need only be issued when the Electrical Dept. is known definitely to be averse to such inspection.

Submd for orders

5.6.29.

Before I draw from FSO's table

From the Secy. to 2L

2

C, - 1476 dt. 1-6-29

Fds. copy of letter from the C.E.E. stating that there are no factories attached to the Electrical Dept. & states that the transformer stations & workshops of the Dept. come within the meaning of a factory as defined in the Regn & requests that necy. instructions may be issued to the C.E.E.

According to Section 3(k) of the Regulation — III of 1914 — Electrical generating

Note—Contn. Sheet

WD 01684—GPB—30,000—20-4-29

Serial No.

~~to~~ or Transforming Stations were exempt from the operation of the Factories Regulation. But this exemption has been withdrawn in the Amendment Regulation of 1925.

This is in the file Clerk

The Dirs. may be asked ~~to~~ to send up a copy of the C.E.E's reply to his letter of 15th May 29.

Sent up for orders

24.6.29

The question to be decided is whether the Electric Transformer Stations & the repair shops attached to them come under the definition of a "factory".

The repair shops may conceivably come under the definition but the case of the transformer stations is doubtful. The Dirs. thinks that it is also a factory as "electric energy is produced or transformed or adapted for use or for sale". Whether such energy is an "article" within the meaning of the definition is a point for decision. Perhaps, concerns producing electricity & gas may also be considered as "factories". If necessary the L.R. may be consulted.

Secy (S)

3/7

Clerk 2.7.29

L.R. with compliments for favour of opinion as to whether the Transformer Stations and repair workshops attached thereto are Factories within the meaning of the Factories Regn.

W.R. 7.7.29

A.S. 8/7/29

WD 01684—GPB—30,000—20-4-29

3265 pgs

General and Revenue Secretariat | 94C. File No. 458 (2) | App. F. III—2] of 1928

Serial No.

(?)

[Ans "article" is a part of anything or a particular substance, accord to Chambers dictionary.
Again, Elec cannot become the subject matter of theft into the Electricity Act, according to S. 39 of Act IX of 1910. (Vol: II, p: 1953)
According to Wm Gyoud, electricity is properly capable of possession.
Hence, there can be no doubt that electricity is an "article".
I am therefore of opinion that Transformer Stations & workshops are "factories" within the meaning of the Factory Regs.

D. M. 8/1
W 10/1

Also exact with Cmpr]

10/1

A The I.R's opinion may be accepted
It is clear that all the concerns of the E. Dept which satisfy the requirements of sec 3 are factories, and are therefore subject to visits under the Regn.
(It may be noted that the exemption which had been extended to electrical generating or transforming stations under the old sec 3 was specifically taken away by the amending Regn of 1925)

A I think that a ruling may be given that Govt Elec. concerns come under the definition of Factories, and are subject to the incidents of the Factories Regn.

4044

1st Member) I agree 11/1/30
dft 15/1/30 10.1.29

Note—Contn. Sheet

WD 01684—GPB—30,000—20-4-27

[70'6 4850

General and Revenue Secretariat. 2K File No. 458 of 1928.

Serial No.	
	Sent with a ft. 80.
	Entered 29.7.30
	per appl Eng 31/7/30
1/✓	alr Secy
	Issue 10-2-30 Eng

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

S. O.

App. F. VI G 10.

15

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS

G. O. No. D. 9237-46/Dre 458-28-4 DATED 14-2-1930.

May this be

i. printed? Yes Eng 15/2

ii. treated as a standing order? Yes

iii. published in the Gazette English Part? Eng 15/2

iv. translated?

v. placed at the disposal of the press? No.

vi. published in the Gazette Kannada Part?

Mysore Factory Law.

Passes orders bringing within the purview of the Electric Transformer Stations and Workshops.

Draft for orders
Ky
15.2.30

Eng 15/2

7 MAR 1930

Ge. 458-28-1

TELEGRAPHIC ADDRESS :— " INDUSCOM. "

In reply please refer to
No. C. 1476/28-29

GOVERNMENT OF MYSORE.

DEPARTMENT OF INDUSTRIES AND COMMERCE.

OFFICE OF THE DIRECTOR,

Dated, Bangalore, 20th May 1929.

FROM

C. RANGANATHA RAO SAHIB, ESQ., B.A., B.L.,
Director of Industries and Commerce in Mysore,
(Bangalore, India.)

To

N. Rama Rao, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Development Departments, Bangalore.

SECT. TO GOVT.
21 MAY 1929
DEVELOPMENT BRANCH

SIR,

INSPECTION OF FACTORIES.

I have the honour to enclose herein for the information of Government copy of letter No. C1-1476 dated 4-5-29, I have addressed to the Chief Electrical Engineer, Government of Mysore, Bangalore on the above subject. Section 53 of the Mysore Factories Regulation expressly states that it shall apply to factories belonging to Govt. also and no exception is contemplated by Law. Several concerns under the control of the Electrical Department come under the definition of the "Factory" as stated in Section 2 (3) (a) of the Factories Regulation. They should therefore be treated as Factories and the Inspectors of Factories should be afforded facilities for purposes of inspecting these concerns. I therefore request that suitable instructions may kindly be caused to be issued to the Chief Electrical Engineer in the matter so that the concerns of the Electrical Department may be treated as Factories and the officers in charge of such concerns may be - - instructed to afford all facilities to the Inspectors of Factories during their visits for purposes of inspection.

I have the honour to be,

Sir,

Your most obedient servant,

Ranganathaswamy

DIRECTOR IN CHARGE.

AKG)

TELEGRAPHIC ADDRESS :— " INDUSCOM. "

In reply please refer to
No. C1-1476/28-29

GOVERNMENT OF MYSORE.

DEPARTMENT OF INDUSTRIES AND COMMERCE.

OFFICE OF THE DIRECTOR,

Dated, Bangalore, ...1st May.....*192* 9.

FROM

C. RANGANATHA RAO SAHIB, ESQ., B.A., B.L.,
Director of Industries and Commerce in Mysore,
(Bangalore, India.)

To

The Chief Electrical Engineer,
Government of Mysore, BANGALORE.

SIR,

I have the honour to enclose herein for your information copy of letter No.40993 dated the 19th March 1929 addressed by the Superintendent, Power & Lighting, Mysore, to the Superintendent of Industries & Inspector of Factories, Mysore, in reply to the Registered Notice dated the 8th March 1929 sent by the latter, (copy enclosed). Section 53 of the Mysore Factories Regulation expressly enacts that this Regulation shall apply to Factories belonging to Government also. No exception is contemplated by law. Several concerns under the control of your Department come under the definition of "Factory" as stated in Sec.2 (3) (a) of the Regulation, (reproduced below). They have therefore been placed on the Register of Factories and the provisions of the Regulation are applicable to them. This department is responsible for the inspection of all factories from time to time in accordance with the provisions of Law. I therefore request you to be so good as to kindly instruct the Officers-in-Charge of the several concerns to afford facilities to the Inspectors of Factories during their visits for purposes of Inspection. The action taken on receipt of this letter may kindly be intimated. A copy of this letter nas also been submitted to Government.

I may also add for your information that copies of the Mysore Factories Manual are available for sale at the Government Book Depot,

p.t o.

Depot, Bangalore City.

I have the honour to be,

Sir,

Your most obedient servant,

AKM.

DIRECTOR.

Section 2 (3) (a) of the Mysore Factories Regulation.

"Factory" means:-

(a) Any premises, wherein or within the precincts of which, on any one day in the year, not less than twenty persons are simultaneously employed and steam, water or other mechanical power or electrical power is used in aid of any process for, or incidental to, making, altering, repairing, ornamenting, finishing or otherwise adapting for use, for transport, or for sale, any article or part of an article.

Dc. 458/28-T Dte: 458/28/2

TELEGRAPHIC ADDRESS :— "INDUSCOM."

In reply please refer to
No. C. 1476/28-29

GOVERNMENT OF MYSORE.

DEPARTMENT OF INDUSTRIES AND COMMERCE.

REV. DEGRT. 10353 5 JUN 1929 DEVELOPMENT DEPTS.

Enc: Two.

OFFICE OF THE DIRECTOR,

Dated, Bangalore, 1st June *192* 9.

FROM

C. RANGANATHA RAO SAHIB, ESQ., B.A., B.L.,
Director of Industries and Commerce in Mysore,
(Bangalore, India.)

To

N. Rama Rao, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Development Departments,
Bangalore.

SIR,

Inspection of Factories - Electric Department.

In continuation of my letter No. C. 1476/28-29 dated 20/5/1929 on the above subject, I have the honour to enclose herein for the information of Government, copy of letter No. 41872 dated 17th May 1929 addressed to me by the Chief Electrical Engineer and copy of my letter of the same No. dated 1/6/29 sent to him in reply.

It is seen therefrom that the provisions of the Factories Regulation 1914 as amended in 1925 are applicable to the generating and transformer stations as the exemption granted to them under Section 3 (b) of the Regulation of 1914 is now withdrawn. These stations and also the ~~Railway~~ Workshops attached to these come under the definition of the Factory as given in the Amended Regulation. Necessary instructions may kindly be caused to be issued so that the concerns of the Electrical Department may be treated as Factories.

I have the honour to be,
Sir,
Your most obedient servant,

Ranganathaiah
Director-in-charge.

Letter dated the 17th May 1929, from the Chief Electrical Engineer to the Government of Mysore, Bangalore, to the Director of Industries and Commerce in Mysore, Bangalore.

*****

Mysore Factory Regulation.

With reference to your letter No.C1-1476/28-29 of the 1/4th May 1929, I have the honour to state that we have no Factory attached to any of the power stations, wherein materials are manufactured for sale.

2. The repair shops attached to our Power Stations at Sivasamudram, Mysore and Kolar Gold Fields are purely meant for doing small jobs and repairs for the construction and operation and maintenance of works employing a limited number of hands as and when required according to the necessity as the works demand.

3. In this connection, I would refer you to Section 2 (b) of the Factories Regulation.

****

C o p y,

H.K. Ramiengar.
for Director in ~~charge.~~

BV.4/6/29.

TELEGRAPHIC ADDRESS :— " INDUSCOM. "

In reply please refer to
No.....

GOVERNMENT OF MYSORE.

DEPARTMENT OF INDUSTRIES AND COMMERCE.

OFFICE OF THE DIRECTOR,

Dated, Bangalore, ...1st June.....*192* 9.

FROM

C. RANGANATHA RAO SAHIB, ESQ., B.A., B.L.,
Director of Industries and Commerce in Mysore,
(Bangalore, India.)

To

The Offg.Chief Electrical Engineer to the
Government of Mysore,
Bangalore.

SIR,

Mysore Factories Regulation.
****

With reference to your letter No.41872 dated the 17th May 192 on the above subject, I have the honour to state as follows:-

The definition of ~~the~~ a factory is given in sub-section- Clause (a) of sub-section(3) of Section 2 of the Regulation (Page 2 of the Mysore Factories Manual). It is seen from the definition (reproduced below for ready reference) that it is not necessary that a concern should make anything for sale if it is to be treated as a factory. It is enough if it makes ~~any~~ some thing for use or for transport or for sale The repair shops attached to the power stations come under the definit of the factory as given in the Regulation.

I have further to point out that the electric generating and transformer station also come under the Factories Regulation as in these stations power is used and electrical energy is produced or transported or adopted for use or for sale. Again the exemption expressly granted to these stations from the operation of the Factorie law under Sec.3(b) of the Mysore Factories Regulation of 1914 - - (reproduced below) is withdrawn under the Amended Regulation now in fo Such exemption is now granted only to the mines subject to the operati of the Mysore Mines Regulation (Section 3).

It is clear from the above, that the provisions of the Fact Regulation as amended in 1925 are applicable to all the concerns unde the control of your Department. I therefore request that necessary

necessary instructions may kindly be issued to the officers in charge of these concerns to treat them as factories and to afford facilities to the Inspectors of Factories during their visits for purposes of inspection.

I have the honour to be,

Sir,

Your most obedient servant,

Director in charge.

BV-3.

* Factory means:-

(a) Any premises wherein, or within the precincts of which, on any one day in the year not less than twenty persons are simultaneously employed and steam, water or other mechanical power or electrical power is used in aid of any process for, or incidental to, making, altering, repairing, ornamenting, finishing, or otherwise adapting for use, for transport or for sale any article or part of an article;

Section 3 of the Mysore Factories Regulation of 1914.

1. Nothing in the following chapters shall apply to

a) any mine subject to the operation of the Mysore Mines Regulation, 1906, or

b) any electrical generating or transforming station, or,

c) any indigo factory, or

d) any factory situated on and used solely for the purposes of a tea or coffee plantation, or

e) any factory ~~situated and used solely for the purposes of a~~ wherein on no day in the year are more than 49 persons simultaneously employed;

etc etc etc.

Section 3 of the Mysore Factories Regulation of 1914 as amended in 1925.

Nothing in this Regulation shall apply to any mine subject to the operation of the Mysore Mines - - Regulation.

9

Letter No.44374 dated the 15th August 1929 from the Chief Electrical Engineer to the Government of Mysore, Bangalore, to the Director of Industries and Commerce in Mysore, Bangalore.

****

MYSORE FACTORY REGULATION.

I have your No. C1-1476/28-29 dated the 1st June 1929 and in reply thereto have the honour to inform you that none of the workshops of the Electrical Department manufacture any article or commodity or part of an article or commodity for sale and unless the products of the workshops are for sale they cannot be classified as a factory.

------- COPY ----

Director.

AKG)

TELEGRAPHIC ADDRESS :— " INDUSCOM. "

In reply please refer to
No. C1-1476/28-29

GOVERNMENT OF MYSORE. 10

DEPARTMENT OF INDUSTRIES AND COMMERCE.

OFFICE OF THE DIRECTOR,

Dated, Bangalore, ...21st...August,...192 9

FROM

C. RANGANATHA RAO SAHIB, ESQ., B.A., B.L.,
Director of Industries and Commerce in Mysore,
(Bangalore, India.)

To

S. G. Forbes Esq., B.Sc.,
Chief Electrical Engineer to
the Government of Mysore,
Bangalore.

SIR,

With reference to your letter No.44374 dated the 15th August 1929, stating that none of the workshops of the Electrical Department manufactu.. any article or commodity for sale and they should not, therefore, be brought under the Mysore Factories Regulation, I have the honour to state that under section 2 clause 3 of the Regulation the only conditions that have to be satisfied before a factory is brought under the Factories Regulation are as follows:-

(1) Not less than 20 persons should be employed on any one day in the year.

(2) Steam, water or other mechanical power or electrical power should be used in aid of any process.

(3) The process should be connected with making, altering, repairing etc., for use, for transport or for sale ~~any article.~~

It will be observed therefore that the Regulation contemplates the inclusion of workshops wherein articles are manufactured not only for sale but also for use or transport.

I have the honour to be,

Sir,

Your most obedient servant,

Ranganatha Rao Sahib

DIRECTOR.

CRS-AKG).

Copy

Tele{phone—No. 62.
gram—INDUSCOM.

In reply please refer to
No. C1-1476/28-29

GOVERNMENT OF MYSORE.

DEPARTMENT OF INDUSTRIES AND COMMERCE.

OFFICE OF THE LABOUR COMMISSIONER AND
CHIEF INSPECTOR OF FACTORIES,

Bangalore, ...4th December.....1929

Encls.

FROM

C. RANGANATHA RAO SAHIB, Esq., B.A., B.L.,
Labour Commissioner and Chief Inspector of Factories
in Mysore, Bangalore.

To

N. RAMA RAO, ESQ., B.A., B.L.,
Secretary to the Government of Mysore,
Development Departments,
Bangalore.

SIR,

Application of the provisions of Factory Regulation to the Electrical Departmental concerns.

****

With reference to correspondence ending with my letter of even number dated the 21st August 1929, on the above subject, I have the honour to request you to be so good as to kindly let me know if orders of Government have been passed in the matter.

I have the honour to be,

Sir,

Your most obedient servant,

CHIEF INSPECTOR OF FACTORIES IN CHARGE.

BV.

S.O.

12

G.R.S. App. F VI G-2]

SUBJECT.....

.....

.....

Sec Inc

File No. 458-28

Serial No. 4

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the . *192* .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read –

Date of issue 14/2/32

Signed by for E.V. Sampathy

Correspce ending with letter no. C.-1476/28-29 dt. 21st Aug. 1929 from the Dir. of Stats stating that the C.E.E contends that Electrical Transformer Stations & workshops do not come under the purview of the Mysore Factories Regulation as Order Thereon No. they cannot be considered as factories and requiring for a ruling whether they may be termed as factories for the purpose of administration of the factories law. Ord. 9231-46

The Chief Electrical Engineer Contends that the Factories Regulation is not applicable to the Electrical

May this be

i Printed?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

13

Generally Stations and Workshops and Generating Stations as they do not manufacture any article for Sale, which Condition is necessary to bring it within the meaning of a factory as defined in the Factories Regulation; and that, besides, Section 3 (b) of the Ahipore Factories Regulation III of 1914 expressly exempted "Electrical Generating or Transformer Stations" from the Operation of the Factories Regulation.

It may be mentioned here that the exemption from the Operation of the Factories law which had been extended to Electrical Generating and transforming Stations under Section 3 of the old Regulation was specifically withdrawn by the Factories Amendment Regulation ~~of~~ VI of 1925.

The contention of the C.E.E. that Electricity is not an "article" cannot also be accepted. In fact Electricity is property capable of possession & it is a commodity actually Sold.

List of enclosure.

Copied by

Examined by

WD 079—GPB—8000—10-10-29

G. R. S. App F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

~~There is therefore no doubt that~~ the Generating Stations, workshops & other concerns of the Electrical Dept. are (factories ~~within the~~ meaning of the Act. Therefore clearly as according to the definition ~~meaning of the a factory as defined~~ in the Factories Regulation. Govt ~~are~~ accordingly direct that may be ~~held~~ considered all ~~are~~ subject to the incidents of the Factories Regulation ~~and the~~ including ~~subject to~~ inspection by the Inspectors of Factories.

Eng. 9/3/24 Dev. Secy.

Tukr.

To the Dir. of Edn.

the C. E. E.

the District Magistrates of Districts.

WD 0327—GPB—10,000—18-5-27

S. O. 16

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. D. 9237-46—I. & C. 458-28-4, dated 14th February 1930.

Mysore Factory-Law.

Passes orders bringing within the purview of the —— the Electric Transformer Station and Workshop.

READ—

Correspondence ending with letter No. C. 1-1476—28-29, dated 21st August 1929, from the Director of Industries and Commerce in Mysore, stating that the Chief Electrical Engineer contends that Electrical Transformer Stations and Workshops do not come under the purview of the Mysore Factories Regulation as they cannot be considered as factories and requesting for a ruling whether they may be termed as factories for the purpose of administration of the Factories law.

ORDER No. D. 9237-46—I. & C. 458-28-4, DATED 14TH FEBRUARY 1930.

The Chief Electrical Engineer contends that the Factories Regulation is not applicable to the Electrical Worshops and Generating Stations as they do not manufacture any 'article' for sale, which condition is necessary to bring it within the meaning of a factory as defined in the Factories Regulation; and that, besides, Section 3 (b) of the Mysore Factories Regulation, III of 1914, expressly exempted "Electrical Generating or Transformer Stations" from the operation of the Factories Regulation.

It may be mentioned here that the exemption from the operation of the Factories law which had been extended to Electrical Generating and Transforming Stations under Section 3 of the old Regulation was specifically withdrawn by the Factories Amendment Regulation, VI of 1925. The contention of the Chief Electrical Engineer that Electricity is not an 'article' cannot also be accepted. Electricity is property capable of possession and it is a commodity actually sold. Generating Stations, Workshops and other concerns of the Electrical Department are therefore clearly factories according to the definition in the Factories Regulation. Government accordingly direct that they be considered subject to all the incidents of the Factories Regulation including inspection by the Inspector of Factories.

Secretary to Government,
Development Departments.

To—The Director of Industries and Commerce in Mysore.
The Chief Electrical Engineer in Mysore.
The District Magistrates of Districts.

Exd.—P. S. R. N.

W D 2486—GPB—725—25 2-30